IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 87/2006

LAL SINGH & ANR. Vs. THE STATE OF RAJASTHAN

DATE: 10.01.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Kamlendra Sihag for
Mr. Biri Singh for the petitioners.
Mr. Ashwani Kumar Sharma, PP for the State.

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The petitioners have preferred this criminal revision petition under Section 397 read with Section 401 Cr.P.C. against the order dated 13.01.2006 passed by the Additional Sessions Judge (Fast Track), Behror, District Alwar in Sessions Case No. 36/2005 (44/2005), whereby the application moved by the petitioners under Section 319 Cr.P.C. for taking cognizance against Mahavir, Smt. Shanti and Matadin for the offence under Sections 323, 341, 324, 325/149 and Section 307/149 IPC has been dismissed.

The Additional Sessions Judge (Fast Track), Behror having considered the application of the petitioners moved under Section 319 Cr.P.C. has observed that the allegations levelled against Mahavir,

Smt. Shanti and Matadin are not corroborated by the FIR as well as the by the witnesses. In the complaint, name of Mahavir has not been mentioned and no act is attributed to Shanti in the FIR. Thus, considering the overall circumstances and the statements of the witnesses and the complaint filed by the complainant, the trial Court has rejected the application of the petitioners moved under Section 319 Cr.P.C.

I find no illegality in the impugned order dated 13.01.2006 passed by the Additional Sessions Judge (Fast Track), Behror, District Alwar.

Consequently, the revision petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

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